

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

D. R., et al.,

Plaintiffs,

v.

CONTRA COSTA COUNTY, et al.,

Defendants.

Case No. 19-cv-07152-MMC

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS'
ADMINISTRATIVE MOTION**

Before the Court is plaintiffs' Administrative Motion, filed October 5, 2020. Defendants Contra Costa County and Tasha Mizel, the only defendants who have appeared, have not filed a response thereto. Having read and considered the Administrative Motion, the Court rules as follows:

1. To the extent plaintiffs seek an extension of time to file their proposed Second Amended Complaint for purposes of amending their claims against Contra Costa County and Tasha Mizel, as provided in the Court's order of September 15, 2020, the Administrative Motion is hereby GRANTED, and the deadline is EXTENDED to October 16, 2020.


2. To the extent plaintiffs seek an order lifting the stay of plaintiffs' claims against Marcia Franich, the Administrative Motion is hereby GRANTED.

3. To the extent plaintiffs seek leave to add claims against Marcia Franich and to add DockATot as a defendant, the Administrative Motion is hereby DENIED, without prejudice to plaintiffs' filing a motion for leave to file a proposed Third Amended Complaint, attaching thereto such proposed amended pleading. See Civil L.R. 10-1 (providing "[a]ny party filing or moving to file an amended pleading must reproduce the

entire proposed pleading and may not incorporate any part of a prior pleading by reference"); Mayes v. AT&T Information Systems, Inc., 867 F.2d 1172, 1173 (8th Cir. 1989) (holding, where motion for leave to amend is filed "prior to expiration of the statute of limitations," even though "the entry of the court order and the filing of the amended complaint have occurred after the limitations period has expired . . . , the amended complaint is deemed filed within the limitations period").

IT IS SO ORDERED.

Dated: October 13, 2020


MAXINE M. CHESNEY
United States District Judge

United States District Court
Northern District of California